

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 20-00286-01-CR-W-DGK
)	
MYKUS BUTLER,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On October 13, 2020, the Grand Jury returned a ten-count Indictment charging Defendant Mykus Butler with conspiracy to commit Hobbs Act robbery (Count One), Hobbs Act robbery (Count Two), two counts of conspiracy to use firearms during and in relation to a crime of violence (Counts Three and Six), two counts of discharging a firearm during and in relation to a crime of violence (Counts Four and Seven), carjacking (Count Five), stealing a firearm (Count Eight), possession of a stolen firearm (Count Nine), and receiving a firearm while under indictment (Count Ten).

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Jeffrey Quinn McCarther and Sean T. Foley
Case Agent: FBI Special Agent Doug McKelway and Dan Frazier, KCMO Police Department
Defense: James L. Spies

OUTSTANDING MOTIONS: None

TRIAL WITNESSES:

Government: 7-8 with stipulations; 10 without stipulations
Defendant: 1 witness, including the Defendant

TRIAL EXHIBITS:

Government: approximately 60-80 exhibits
Defendant: approximately 0 exhibits

DEFENSES: General denial

POSSIBLE DISPOSITION:

() Definitely for trial; (X) Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2½ to 3 days total

Government's case including jury selection: 2½ day(s)

Defendant: less than ½ day(s)

STIPULATIONS: None at this time but the Government will be proposing stipulations as to nexus of firearm, nexus of automobile, and status of being under indictment at the time of the matters charged.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: **Due on or before May 24, 2022.**

Defendant: **Due on or before May 24, 2022.**

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, if required by the District Court, Voir Dire, Jury Instructions: Due on or before June 1, 2022.

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: Due on or before June 1, 2022.

TRIAL SETTING: Criminal jury trial docket set for June 6, 2022.

Please note: The Government requests the second week of the docket as counsel is out of town June 6-7th. Defendant does not object to continuing the matter to the week ending on June 24, 2022.

IT IS SO ORDERED

/s/ Lajuana M. Counts

LAJUANA M. COUNTS

UNITED STATES MAGISTRATE JUDGE